

Message

From: Bailey, Paul [Paul.Bailey@mda.mo.gov]
Sent: 3/20/2019 8:22:45 PM
To: Keigwin, Richard [Keigwin.Richard@epa.gov]
Subject: FW: AAPCO's concerns - the right of SLAs to issue certain 24(c) registrations

FYI

Paul Bailey
Director, Plant Industries
Missouri Department of Agriculture
P.O. Box 630
Jefferson City, MO 65102
573-751-2462
Paul.Bailey@mda.mo.gov

-----Original Message-----

From: Wall, Dawn <Dawn.Wall@mda.mo.gov>
Sent: Tuesday, March 19, 2019 2:47 PM
To: Bailey, Paul <Paul.Bailey@mda.mo.gov>
Cc: Deeken, Stephanie <Stephanie.Deeken@mda.mo.gov>; Travlos, Alyssa <Alyssa.Travlos@mda.mo.gov>; Goose, Eric <Eric.Goose@mda.mo.gov>
Subject: FW: AAPCO's concerns - the right of SLAs to issue certain 24(c) registrations

Please see the email below.

Dawn Wall
Pesticide Program Administrator
Missouri Department of Agriculture
Office: (573) 751-5510
agriculture.mo.gov

-----Original Message-----

From: Amy Sullivan <aapco.sfireg@gmail.com>
Sent: Tuesday, March 19, 2019 9:35 AM
To: Amy Sullivan <aapco.sfireg@gmail.com>
Subject: FW: AAPCO's concerns - the right of SLAs to issue certain 24(c) registrations

Forwarded by AAPCO

Amy Sullivan
Executive Secretary
AAPCO-SFIREG
406-431-3176
<https://protect2.fireeye.com/url?k=3f1a6671-635b1a5e-3f18aabb-0cc47a6d17a8-6b93c562f29d0959&u=https://aapco.org/>
<https://twitter.com/aapcoexecsec>

On 3/19/19, 10:04 AM, "Roseann Kachadoorian"
<rkachadoorian@oda.state.or.us> wrote:

>Yesterday AAPCO members learned that EPA is now re-evaluating its
>approach to reviewing FIFRA Section 24(c) "requests", and the
>circumstances under which it will exercise its authority to disapprove
>those requests.
>See,
><https://www.epa.gov/pesticide-registration/guidance-fifra-24c-registration>
>s .
>
>
>
>What appears to have initiated high level EPA's interest/concern are the
>Section 24(c) registrations that some states have granted for dicamba
>containing products. EPA specifically highlighted that these state
>registrations are to: add a more restrictive cut-off date, add training

>and certification requirements, or to restrict the use directions by
>limiting the number of treatments permitted by the federal label.
>
>Historically, Section 24(c) registrations have been issued by the State
>Lead Agencies (SLAs) for a wide variety of state determined reasons,
>including: adding additional use sites, pests or application methods;
>changing the timing of applications or conditions; increasing or
>decreasing the number of applications; or adding environmental safety
>restrictions.
>
>Many AAPCO members find it deeply concerning that EPA finds it now
>necessary to re-evaluate its approach to reviewing 24(c) registrations;
>and in addition, AAPCO does not consider these state granted
>registrations "requests". It is important for SLAs to be able to grant
>24(c) registrations for a wide-variety of state determined reasons,
>including to protect non-target plants and to insure that applications
>are conducted in such a manner that technology options remain viable.
>
>The AAPCO Board of Directors is in the process of developing a letter to
>EPA. State Lead Agencies are strongly encouraged to contact EPA in
>writing to state their concerns. Do not hesitate to contact AAPCO if you
>have comments that you would like to share.
>
>Thank you
>
>
>Rose Kachadoorian
>AAPCO President
>Pesticides Program Manager,
>Registration, Licensing and Certification
>Natural Resource Policy Area
>Oregon Department of Agriculture
>635 Capitol Street NE
>Salem, Oregon 97301
>503/986-4651 Phone, 503/986-4735 Fax
>Email: rkachadoorian@oda.state.or.us
>
>Leo A. Reed
>AAPCO President Elect
>Manager, Certification and Licensing
>Office of Indiana State Chemist
>175 S. University
>West Lafayette, IN 47907
>Phone:765-494-1588 or 1-800-893-6637
>www.oisc.purdue.edu
>reedla@purdue.edu
>
><https://www.epa.gov/pesticide-registration/guidance-fifra-24c-registration>
>s
><<https://www.epa.gov/pesticide-registration/guidance-fifra-24c-registration>
>ns>
>Posted 03/19/19
>This is the time of year that EPA receives many special local needs
>registration requests from states under section 24(c) of FIFRA. Section
>24(c) states that "A State may provide registration for additional uses
>of federally registered pesticides formulated for distribution and use
>within the State to meet special local needs . . ." EPA currently
>receives approximately 300 24(c) requests annually. Many of these
>requests are for additional uses not considered by the federal label
>e.g., applying the pesticide to a different crop to address an outbreak
>of disease, adding an alternative application method that suits the
>practices of that state, or adding a new pest species that is not on the
>federal label. However, some requests are to narrow the federal label,
>such as to add a more restrictive cut-off date, to add training and
>certification requirements, or to restrict the use directions
>by limiting the number of treatments permitted by the federal label.
>Due to the fact that section 24(a) allows states to regulate the use of
>any federally registered pesticide, and the fact that some states have
>instead used 24(c) to implement cut-off dates (and/or impose other
>restrictions), EPA is now re-evaluating its approach to reviewing 24(c)
>requests and the circumstances under which it will exercise its authority
>to disapprove those requests. Before making any changes in this regard,
>EPA intends to take public comment on any potential new approaches before
>adopting them.
>EPA is not making any immediate changes in this area and does not expect
>any potential changes will impact 24(c) requests that states submit ahead
>of the 2019 growing season.
>

>
>
>
>
>
>
>
>
>